

UNITED STATES DISTRICT COURT

***** DISTRICT OF NEVADA

ROBERT LOGAN BERRY, JR.,

Petitioner,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: **3:16-cv-00470-MMD-WGC**

ISIDRO BACA, et al.,

Respondents.

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

___ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

X **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that respondents' motion to dismiss (ECF No. 7) is granted. This action is dismissed without prejudice because petitioner has not exhausted his available state court remedies. Judgment is hereby entered in favor of respondents and against petitioner.

IT IS FURTHER ORDERED that a certificate of appealability is denied

September 26, 2017

DEBRA K. KEMPI

Clerk

/s/ D. R. Morgan

Deputy Clerk